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Kurt A. Summe, Reg. No. 36,023

9/6/05  
Date

PATENT  
ATTY. DOCKET NO: XANO-42/119

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Heasley Art Unit: 1614  
Serial No. 10/774,803 Examiner: Unknown  
Filed: February 9, 2004  
Title: A STABLE PARENTERAL FORMULATION OF LEVOMEPROMAZINE  
AND A METHOD FOR STABILIZING SAID FORMULATION

Cincinnati, Ohio

September 6, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.704, the references listed on the attached supplemental Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references, other than the U.S. references, are attached hereto.

The Examiner is respectfully requested to review each reference cited and to note the review on the attached PTO-1449 form and to reach their own independent determination of its materiality, if any.

A copy of the Search Report in counterpart International Application No. PCT/US2005/003656 is enclosed. This International Search Report was received in our

office on August 4, 2005. No fee is due for this submission in accordance with C.F.R. 37, §§ 1.97(e)(2) and 1.704(d).

**Certification under 37 C.F.R. § 1.97(e)(2)**

Each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

**Certification under 37 C.F.R. § 1.704(d)**

The foreign patent office communication cited herein was not received by any individual designated in 1.56(c) more than thirty days prior to submission of this Supplemental Information Disclosure Statement.

Applicant knows of no fees due with this submission as there has yet to be a first Action in this case, and this paper is filed within the thirty-day deadline under §1.97(e)(2) on September 6, 2005 (the first business day following the Labor Day holiday). However, should any fees be deemed required, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. XANO/42	SERIAL NO. 10/774,803
 (37 CFR 1.98(b))		INFORMATION DISCLOSURE STATEMENT BY APPLICANT  Use several sheets if necessary)		APPLICANT Ralph A. Heasley	
				FILING DATE February 9, 2004	GROUP 1614

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	4	0	7	1	6	2	0	01/31/78	Sklar			01/10/77
	A.B	4	1	8	8	4	6	5	02/12/80	Schneider et al.			3/25/77
	A.C												
	A.D												
	A.E												
	A.F												
	A.G												
	A.H												
	A.I												
	A.J												
	A.K												

## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L	GB845943	08/24/60	Great Britain			N/A
	A.M	WO03/02153	01/09/03	PCT			N/A
	A.N	WO97/13489	04/17/97	PCT			N/A
	A.O						
	A.P						
	A.Q						

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

A.R	Aboutaleb, A.E., <u>Formulation and Stability Study of Certain Mixtures Containing Solubilized Methotriprazine</u> , PHARM IND., Vol. 47, No. 12, 1985, pp. 1295-1298, XP008050156
A.S	International Search Report for PCT/US2005/003656, <u>received August 4, 2005</u>
A.T	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.